

REMARKS/ARGUMENTS

In view of the amendments to the claims above and the remarks and arguments below, Applicant believes the pending application is in condition for allowance.

I. Status of the Claims

Claims 1-4, 12, 19, 25-29, 55, and 57-62 were previously pending.

Claims 1, 2, 12, and 55 are amended in this Response to delete the phrase “capable of interacting with said metal-based surfactant” from the claim term “catalyst capable of interacting with said metal-based surfactant.” No new matter is introduced by this amendment.

Claims 5-11, 13-18, 20, 21, 30-34, 38-40, 43, 45-48, 50-54, and 56 were previously canceled without prejudice to or disclaimer of the subject matter contained therein.

Claims 22-24, 35-37, 41, 42, 44, 49, and 63-67 have been withdrawn from consideration without prejudice to or disclaimer of the subject matter contained therein.

Upon entry of this Response, claims 1-4, 12, 19, 25-29, 55, and 57-62 are pending and at issue.

II. Claim Rejection under 35 U.S.C. § 112, ¶ 2

Claims 1-4, 12, 19, 25-29, 55, and 57-62 are rejected under 35 U.S.C. § 112, ¶ 2, as indefinite. Specifically, the Examiner states that the recitation of “catalyst capable of interacting with said metal-based surfactant” renders the claims indefinite because it is unclear whether or not interaction is actually required and what the nature and extent of the interaction is.

Independent claims 1, 12, and 55 and dependent claim 2 have been amended to recite “catalyst” in place of “catalyst capable of interacting with said metal-based surfactant.” Applicant respectfully submits that upon entry of this Amendment, these claims are no longer indefinite. Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 12, and 55 be withdrawn.

The remaining claims 3, 4, 19, 25-29, and 57-62 depend from claim 1, 12, or 55. Further, none of these claims expressly recite “catalyst capable of interacting with said metal-based

surfactant.” Therefore, Applicant respectfully submits that claims 3, 4, 19, 25-29, and 57-62 are no longer indefinite, and respectfully requests that the rejection of these claims be withdrawn.

¶

¶

CONCLUSION

In view of the foregoing, it is believed that claims 1-4, 12, 19, 25-29, 55, and 57-62 are in immediate condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: May 29, 2009

Respectfully submitted,

By 

Louis J. DeJudice

Registration No.: Reg. No. 47,522

DARBY & DARBY P.C.

P.O. Box 770

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant